

FRANK KRATOVIL, JR.
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January 13, 2010

The Honorable Martin O'Malley
Governor, State of Maryland
100 State Circle
Annapolis, MD 21401

The Honorable Thomas V. Mike Miller, Jr.
President, Maryland Senate
State House, H-107
Annapolis, MD 21401

The Honorable Michael E. Busch
Speaker, Maryland House of Delegates
State House, H-101
Annapolis, MD 21401

Dear Governor O'Malley, President Miller, and Speaker Busch:

As the Maryland General Assembly reconvenes for a new legislative session, I write to urge you to make implementation of the revised federal sex offender registry standards a top priority and to offer my assistance in this effort.

The tragic death of Sarah Foxwell – an 11-year old from Salisbury, who was brutally kidnapped and murdered, allegedly by a registered sex offender – is significant motivation to bring our state sex offender registration and notification laws into compliance with the revised federal standards. While we must be mindful that sex offender registration and notification laws alone do not prevent such tragedies, they are a valuable tool in the fight against child predators.

The Adam Walsh Child Protection and Safety Act (P.L. 109-248), which was signed into law on July 27, 2006, imposes new federal standards on state sex offender registration laws, and necessitates significant revision of Maryland's sex offender registry and notification laws prior to the July 27, 2010 implementation deadline. If Maryland fails to achieve substantial compliance prior to the deadline, or does not seek a waiver of the deadline, our state could lose federal funding for law enforcement through the Department of Justice's (DOJ) Byrne Program.

Substantial compliance with Title I of the Adam Walsh Act: the Sex Offender Registration and Notification Act (SORNA), requires significant revision of Maryland's sex offender registry and notification protocols, including but not limited to:

- Expanding the class of offenders required to register;
- Increasing how long certain offenders are required to register;
- Expanding the information required to be provided upon registration;
- Strengthening provisions relating to when offenders must update their registration information; and
- Strengthening community notification and disclosure requirements.

With guidance from the DOJ's Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART), the Maryland Department of Public Safety and Correctional Services and the Office of Crime Control & Prevention have already implemented many administrative revisions as required by SORNA. My office will reach out to your staffs to discuss this issue and to offer our assistance. I urge you to view my office as a resource as you work to bring Maryland's state laws into compliance with the new federal standard.

As a father and a former prosecutor, I believe that protecting our children and successfully combating child predators must be a top priority. I look forward to working with you to accomplish these most urgent and critical objectives.

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank M. Kratovil, Jr.', with a long horizontal line above it.

Frank M. Kratovil, Jr.